

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

ANTHONY McCLENNON,)
Petitioner,)
v.) Case No. 3:17-CV-546-JD-MGG
WARDEN,)
Respondent.)

OPINION AND ORDER

Anthony McClellon, a prisoner without a lawyer, filed a habeas corpus petition challenging his prison disciplinary hearing in MCF 17-03-234 where a Disciplinary Hearing Officer (DHO) at the Miami Correctional Facility found him guilty of Possession or Use of a Controlled Substance in violation of B-202 on April 11, 2017. ECF 1 at 1. As a result, McClellon was sanctioned with the loss of 60 days earned credit time and demoted from Credit Class 1 to Credit Class 2. *Id.*

After McClellon filed his petition, the finding of guilt and sanctions were vacated. ECF 12-1. The Warden has filed a motion to dismiss because this case is moot. ECF 12. McClellon filed a letter with the court stating he is “in agreement” with the motion. ECF 14. Because the challenged disciplinary proceeding and sanctions have been vacated, this case must be dismissed. *See Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003) (prisoner can challenge prison disciplinary determination in habeas proceeding only when it resulted in a sanction that lengthened the duration of his confinement).

For these reasons, the motion (ECF 12) is GRANTED and the case is DISMISSED.

SO ORDERED on March 6, 2018.

/s/ JON E. DEGUILIO
JUDGE
UNITED STATES DISTRICT COURT